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EXAMINER MORRISON, JAY A				
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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 10/730,192  
Filing Date: December 04, 2003  
Appellant(s): COTNER ET AL.

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Erin C. Ming  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed 12/19/2007 appealing from the Office action mailed 4/19/2007.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

Bird et al. ('Bird' hereinafter) (Patent Number 6,321,235).

**(9) Grounds of Rejection**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Bird et al. ('Bird' hereinafter) (Patent Number 6,321,235).

As per claim 1, Bird teaches

A method for providing package resolution in a database system, the method comprising: (see abstract and background)

providing a database statement within a server of the database system, the database statement allowing an application to identify a list of package collections, wherein each identified package collection includes a plurality of packages and each package is usable during execution of one or more other database statements issued by the application; (application VIOLA has two packages it uses, column 4, lines 20-30; figure 3)

responsive to issuance of the database statement by the application, executing the database statement to locate at least one of the plurality of packages included in at least one of the identified package collections; (global cache where one entry for SQL statement, column 4, lines 35-40; figure 3)

and caching the at least one package in a storage of the server, the at least one package being used during execution of the one or more other database statements issued by the application. (global cache, column 4, lines 45-48)

As per claim 2,

the database statement comprising is a SET CURRENT PACKAGE PATH statement. (CURRENT FUNCTION PATH, column 7, lines 44-50)

As per claim 3,

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the list of package collections include a combination of literals, host variables, keywords, and null string. (column 5, lines 25-30)

As per claim 4,  
each package includes a collection ID and a package ID. (column 5, lines 35-40;  
figure 4)

As per claim 5,  
the database system is a distributed database system. (column 3, lines 25-30)

As per claims 6-10,  
These claims are rejected on grounds corresponding to the arguments given  
above for rejected claims 1-5 and are similarly rejected.

As per claims 11-15,  
These claims are rejected on grounds corresponding to the arguments given  
above for rejected claims 1-5 and are similarly rejected.

As per claim 16,  
the database statement is a structured query language (SQL) statement. (column  
3, lines 57-60)

As per claim 17,

This claim is rejected on grounds corresponding to the arguments given above for rejected claim 16 and is similarly rejected.

As per claim 18,

This claim is rejected on grounds corresponding to the arguments given above for rejected claim 16 and is similarly rejected.

#### **(10) Response to Argument**

Regarding claims 1, 6 and 11, Applicant argues that Bird does not teach "providing a database statement within a server of the database system, the database statement allowing an application to identify a list of package collections, wherein each identified package collection includes a plurality of packages and each package is usable during execution of one or more other database statements issued by the application". Applicant specifically argues two points: 1) that Bird does not teach a "database statement allowing an application to identify a list of package collections" and 2) that Bird discloses packages but not "package collections" as claimed.

Regarding Applicant's argument to the first point, that Bird does not teach "database statement allowing an application to identify a list of package collections", it is respectfully submitted that Bird does teach the limitation in the following citation:

"Referring now to FIG. 4, package 46 and section entry information 48 will be loaded into the static SQL cache 42 from the system catalogues as required in response to either a dynamic or static SQL request from an application. Static SQL requests will be satisfied from the static SQL cache 42 while dynamic SQL requests will be routed to the dynamic SQL cache 44 once the package 46 and section entry 48 information have been obtained from the static SQL cache 42. Note that requests can go directly to the dynamic SQL cache 44 if the package 46 and section entry 48 information are already known by the requester." (column 5, lines 30-40)

It is noted that Bird's SQL request is the database statement in the claimed limitation, and that depending upon the SQL request being a dynamic or static SQL request that the request will be respectfully satisfied by the static SQL cache or routed to the dynamic SQL cache. Looking closer at the make-up of these caches, we see that they are each made up of different groups of entries. For example, the static SQL cache is made up of multiple packages ("package A" through "Package n", figure 3, item 46), and it is further submitted that these packages are broken into multiple sections ("Section Entry 1" through "Section Entry 3", figure 3, item 48) which reads on the claimed "package collections". Similar to the static SQL cache, the dynamic SQL cache is also partitioned or portioned by anchor points ("Dynamic Cache Anchor Point 1" through "Dynamic Anchor Cache Anchor Point n", figure 5) and these partitions are further divided into partitions or portions (Compilation Environment's, figure 5). Regardless of the method of identifying these packages, partitions, or portions, the database statement allows the application on the server to identify the static or dynamic caches, which are respective lists of package collections as explained. It is therefore respectfully submitted that Bird does teach a "database statement allowing an application to identify a list of package collections".



Regarding Applicant's argument to the second point, that Bird discloses packages but not "package collections" as claimed, it is respectfully submitted that a close look at the packages disclosed by Bird ("package A" through "Package n" in the static cache and "Dynamic Cache Anchor Point 1" through "Dynamic Anchor Cache Anchor Point n" in the dynamic cache, figure 3, item 46 and figure 5, respectively) are in fact package collections as claimed. As explained previously, these packages are broken into multiple sections ("Section Entry 1" through "Section Entry 3", figure 3, item 48), and the dynamic SQL cache is also partitioned or portioned by anchor points ("Dynamic Cache Anchor Point 1" through "Dynamic Anchor Cache Anchor Point n", figure 5) and these partitions are further divided into partitions or portions (Compilation Environment's, figure 5), and these sections, partitions, or portions read on the claimed "package collections". It is also respectfully submitted that each package disclosed in Bird is also "usable during execution of one or more other database statements issued by the application" since these packages contain a cache of the SQL statements, which are executable. It is therefore respectfully submitted that based on these explanations, Bird does teach "providing a database statement within a server of the database system, the database statement allowing an application to identify a list of package collections, wherein each identified package collection includes a plurality of packages and each package is usable during execution of one or more other database statements issued by the application".

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Regarding claims 2, 7 and 12, Applicant argues that Bird does not teach "wherein the database statement is a SET CURRENT PACKAGE PATH statement", stating that the citation by Bird is not a database statement. It is respectfully submitted that if this is true then it must also be true that a database statement is a complete statement which can be executed by the database engine. Consider the following citation from the Applicant's disclosure:

"First, CONNECT TO SERVER 202, assuming server 202 is the local server. Then SET CURRENT PACKAGE PATH=A, B, C. Next, the server 202 uses CURRENT PACKAGE PATH(A,B,C) value to locate package. Next, CONNECTS TO server 204, SET CURRENT PACKAGE PATH=D, E, F. Then, thereafter CURRENT PACKAGE PATH(D, E, F) is provided to server 204 and used to locate the package there. Finally, CONNECT TO server 206. Server 202 sends collections A, B, and C one at a time to server 206 and they are used to search package." (paragraph [0050])

According to this, a database statement which SETs the CURRENT PACKAGE PATH, also includes a list of paths which are used to locate a package. So while the Applicant argues that Bird does not disclose a database statement, the claim does not disclose a database statement either, nor does it disclose the functionality of the statement fragment which it claims. Respectfully, without either of these elements it is respectfully submitted that Bird also discloses a statement fragment which refers to a path and therefore discloses the claim absent any other specifics to otherwise define the claim.

Conclusion:

The references cited disclose the claimed method, system, and encoded computer readable media for providing package resolution in a database system. In light of the forgoing arguments, the examiner respectfully requests the honorable Board of Appeals and Interferences to sustain the rejection.

**(11) Related Proceeding(s) Appendix**

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

Respectfully submitted,

/Jay Morrison/

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November 29, 2007

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